

Special Report

Exhibit 3:

Incident Report for 2/13/2020

Comprehensive Report

If ordered, the Comprehensive Report shall be submitted within five working days of the incident to the appropriate regional director or designee.

Facility:	DCF	2020-1001-078-II	Reported by:	James Lysinger
Type of Incident:	Use of Force WITHOUT Chemical/Inflammatory Agents WITH Less Than Significant Injuries			
Date/Time Incident Occurred:	02/13/2020 @ 09:40 Hours			
Location of Incident (Unit, Quad, Cell, dining hall, etc.)	Fox Charlie Cell #110, (MED Segregation) Davis Correctional Facility Holdenville, Oklahoma			

A. Full description of incident (who, what, where, when, why and how. Include all inmate and staff actions during the incident):

Thursday, February 13, 2020 at approximately 0940 hours, inmate Brown, Brandon 592090 (Date of Birth: [REDACTED], Race: Black, Affiliation: Gangster Disciples) refused to submit to hand restraints when ordered to be placed on property restriction due to his recent behavior. After an attempt at de-escalation failed, Assistant Warden Mark Gentry gave the approval to utilize an Extraction Team.

The Extraction Team consisted of the following staff:

Senior Correctional Officer Joshua Louthan - #1, shield

Senior Correctional Officer Spencer Choate - #2, upper left appendage

Correctional Counselor Kevin Davis - #3. Team Leader, upper right appendage and hand restraints

Correctional Officer Michael Dupris - #4, lower left appendage

Correctional Officer Andrew Smith - #5, lower right appendage

Senior Correctional Officer Jeremy McConnell - camera operator

Once assembled, the Extraction Team went to Fox Charlie Cell #110 as a show of force. Assistant Shift Supervisor Mark Mowers conducted confrontational avoidance and gave inmate Brown verbal directives to submit to hand restraints, he complied. Correctional Counselor Davis placed hand restraints on inmate Brown. Once hand restraints were applied, Case Manager David Worsham utilized the door key to unlock Fox Charlie Cell #110. Once the cell door was opened, inmate Brown took an aggressive stance and attempted to get up from the ground and charge the extraction team. At this time the Extraction Team used their physical strength and body weight to place inmate Brown on the ground in a prone position in order to gain compliance. Correctional Officer Smith then placed leg restraints on inmate Brown. Correctional Officer Smith and Correctional Officer Dupris assisted inmate Brown to his feet and escorted him to the Fox Unit Classroom, where he received a medical evaluation. Once the evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110 without further incident.

SUSPECTS:

Inmate Brown, Brandon #592090 (Date of Birth: 06/27/1985, Race: Black, Affiliation: Gangster Disciples)

ESCORTS:

Correctional Officer Smith and Correctional Officer Dupris assisted inmate Brown to his feet and escorted him to the Fox Unit Classroom, where he received a medical evaluation. Once the evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110 without further incident.

MEDICAL REPORTS/INJURIES TO STAFF:

Senior Correctional Officer Louthan received an evaluation conducted by Licensed Practical Nurse Gloria Goodwin with no injuries noted.

Senior Correctional Officer Choate received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

Correctional Counselor Davis received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

Correctional Officer Dupris received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

Correctional Officer Smith received an evaluation conducted by Licensed Practical Nurse Goodwin with no injuries noted.

MEDICAL REPORTS/INJURIES TO INMATES:

Inmate Brown received an evaluation conducted by Registered Nurse Rhonda Shivley with the following injuries noted: Abrasion/Scratch, active bleeding under right eye, Reddened area to left side face, and Abrasion/Scratch, active bleeding to lower right lip.

CRIME SCENE/EVIDENCE:

All incident reports, photos, and video submitted with this packet.

USE OF FORCE:

Senior Correctional Officer Louthan, Senior Correctional Officer Choate, Correctional Counselor Davis, Correctional Officer Dupris, and Correctional Officer Smith, used their physical strength and body weight to place inmate Brown on the ground in a prone position in order to gain compliance.

CONCLUSION:

Inmate Brown will be charged with X-23 specifically, resisting apprehension.

NOTIFICATIONS:

Assistant Warden Mark Gentry was notified at 0930 hours by Shift Supervisor Bryce Sparks.

Assistant Warden Anastacio Perez notified ODOC, Contract Monitors Kerry Minyard and JC Colbert at 1030 hours.

B. Staff involved and role they played during/after the incident:

STAFF INVOLVED:

Assistant Shift Supervisor Mark Mowers – Incident Commander/Confrontational Avoidance
 Senior Correctional Officer Joshua Louthan – Extraction Team/Use of Force
 Senior Correctional Officer Spencer Choate – Extraction Team/Use of Force
 Correctional Counselor Kevin Davis – Extraction Team/Use of Force/Hand Restraints
 Correctional Officer Michael Dupris – Extraction Team/Use of Force/Escort
 Correctional Officer Andrew Smith – Extraction Team/Use of Force/Leg Restraints/Escort
 Senior Correctional Officer Jeremy McConnell – Camera Operator
 Case Manager David Worsham – Door Key
 Licensed Practical Nurse Gloria Goodwin – Staff Evaluations
 Registered Nurse Rhonda Shively – Inmate Brown Evaluation

C. Inmates involved:

Full Name	DOC #	Race	Age	Sentence Length/Days Remaining/Crime/STG Affiliation	Updated offender profile screening form attached (Y or N)	Mental Health Level/Medication Compliance (past 90 days) (Y or N)	Updated Mental Health Assessment Attached (Y or N)
BROWN, BRANDON LEE	592090	B	34	OK 21-711.1 - Manslaughter In The First Degree OK 21-1283 - Con/Felons Prohib/Carry Firearms OK 21-1272.1 - Carrying Weapon Where Alc Is Served OK 63-2-402.B2 - Poss Of Cds (Marijuana) Afcf OK 63-2-402.B2 - Poss Of Cds (Marijuana) Afcf/GANGSTER DISCIPLES	Y	■/Y	Y

D. Injuries sustained (Protected health Information):

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Staff or Inmate (S or I)	Full Name	Type of Injury	Cause of Injury	Treatment Received- Inmate (provide update on current condition, treatment and location)	Treatment Received-Staff (was treatment provided outside of the facility)
I	BROWN, BRANDON LEE	Abrasion/scratch, active bleeding under right eye, Abrasion/scratch, active bleeding lower right lip, reddened area under left eye.	Use of Force	Basic First-Aide at the Facility	

E. What future impacts will/could this incident have on staff and/or inmates and other facilities?

None

F. What corrective measures were implemented and what follow-up action should be addressed to resolve and/or prevent future incidents?

None

G. What disciplinary actions/commendations for staff were recommended?

None

H. If there is no video related to this incident, explain why:

N/A

I. If there is video of this incident, how many discs are included or uploaded with this report?

2

Will transfers or separatees be recommended for any of the inmates involved?

Not at this time.

What events precipitated this event?

Inmate Brown refused to comply with directives and an attempt at confrontational avoidance failed.

Were any weapons or contraband recovered during this incident?

No.

(R 4/18)

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Incident Notification Report

As incidents vary, additional questions may need to be asked to clarify (if possible) the event(s) that occurred. An update of staff or inmate injuries will require a follow-up e-mail to provide the condition of staff and/or inmates. This update should be requested periodically and supplied by the facility as new information is learned.

Date Report Completed: 02/14/2020

Facility:	Davis Correctional Facility (DCF) Holdenville, OK.			Reported by:	Anastacio Perez, Assistant Warden
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Type of Incident:	Use of Force		
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Date/Time Incident Occurred:	02/13/2020 0940 Hours	Date/Time Division Regional Director Notified:	02/13/2020 1030 Hours JC Colbert Kerry Minyard
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Location of Incident (Unit, Quad, Cell, dining hall, etc.)	Facility Property \ Section: F \ Block: FC \ Cell: 110			Unit locked down?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Has director of Fugitive Apprehension and Investigations been notified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	By Whom?		When?	
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Incident Classification

1. Inmate-on-Inmate assaults with serious injury: NA
- 1a. Number of Inmate-on-Inmate victims of assaults with serious injury: NA
2. Inmate-on-Inmate assaults without serious injury: NA
3. Inmate-on-Inmate fight: NA
4. Inmate-on-Inmate assaults by throwing substances: NA
5. Disruptive Event: NA

Inmates Involved (attach additional pages if needed)

Full Name	DOC #	Race	Age	Crime(s)
BROWN, BRANDON LEE	592080	B	34	Degree: Manslaughter In The First Firearms: Con/Felons Prohib/Carry Is Served: Carrying Weapon Where Alo Afcl: Poss Of Cds (Marijuana) Atcl: Poss Of Cds (Marijuana)

Staff Involved (attach additional pages if needed)

Full Name	Title/Position
Mcconnell, Jeremy Ea	Sr Correctional Officer
Worsham, David S	Case Manager
Louthan, Joshua Lane	Sr Correctional Officer
Davis, Kevin Ryan	Correctional Counselor
Dupris, Michael Aa	Correctional Officer
Smith, Andrew W	Correctional Officer
Choate, Spencer Elias	Sr Correctional Officer
Mowers, Mark A	Assistant Shift Supervisor

Brief Summary of Incident

On Thursday, February 13, 2020 at approximately 0940 hours, Inmate Brown, Brandon #592080 (Date of Birth: [REDACTED], Race: Black, Affiliation: Gangster Disciples) refused to submit to hand restraints when ordered to be placed on property restriction. On approval from Mark Gentry, Assistant Warden an extraction team was assembled and consisted of the following staff: Senior Correctional Officer Joshua Louthan, Senior Correctional Officer Spencer Choate, Correctional

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Counselor Kevin Davis, Correctional Officer Michael Dupris, and Correctional Officer Andrew Smith. Senior Correctional Officer Jeremy McConnell was the camera operator.

Once assembled, the Extraction Team went to Fox Charlie Cell #110 as a show of force. Assistant Shift Supervisor Mark Mowers conducted confrontational avoidance and gave inmate Brown verbal directives to submit to hand restraints, he complied. Correctional Counselor Davis placed hand restraints on inmate Brown. Once hand restraints were applied, Case Manager David Worsham utilized the door key to unlock Fox Charlie Cell #110. Once the cell door was opened, inmate Brown took an aggressive stance and attempted to get up from the ground and charge the extraction team. At this time the Extraction Team used their physical strength and body weight to place inmate Brown on the ground to gain compliance. Correctional Officer Smith placed leg restraints on inmate Brown. Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to the Fox Unit Classroom, where he received a medical evaluation. Once the medical evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110.

SUSPECTS:

Brown, Brandon #592090 (Date of Birth: 0 [REDACTED] Race: Black, Affiliation: Gangster Disciples)

VICTIMS:

N/A

ESCORTS:

Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to the Fox Unit Classroom, where he received a medical evaluation. Once the medical evaluation was complete, Correctional Officer Smith and Correctional Officer Dupris escorted inmate Brown to Fox Charlie and secured him in Cell #110.

MEDICAL REPORTS/INJURIES TO STAFF:

Senior Correctional Officer Louthan, Senior Correctional Officer Choate, Correctional Counselor Davis, Correctional Officer Dupris, and Correctional Officer Smith, received a medical evaluation from Licensed Practical Nurse Gloria Goodwin with no injuries noted.

MEDICAL REPORTS/INJURIES TO INMATES:

Inmate Brown received a medical evaluation from Registered Nurse Rhonda Shivley, with the following injuries noted: Abrasion/Scratch, active bleeding under right eye, Reddened area to left side face, and Abrasion/Scratch, active bleeding to lower right lip.

CRIME SCENE/EVIDENCE:

All incident reports, photos, and video submitted with this packet.

USE OF FORCE:

Senior Correctional Officer Louthan, Senior Correctional Officer Choate, Correctional Counselor Davis, Correctional Officer Dupris, and Correctional Officer Smith, used their physical strength and body weight to place inmate Brown on the ground to gain compliance.

CONCLUSION:

Inmate Brown will be charged with X-23 specifically, resisting apprehension.

NOTIFICATIONS:

Mark Gentry, Assistant Warden was notified at 0930 hours by Shift Supervisor Bryce Sparks.
Anastacio Perez, Assistant Warden notified ODOC Contract Monitors Kerry Minyard and JC Colbert at 1030 hours.

Staff/Inmate Injuries (Protected Health Information)

(Be as specific as possible - head wound, puncture wound, etc., to include any emergency treatment/hospital transport)

BRANDON BROWN (592090) - Abrasion/scratch, active bleeding under right eye, Abrasion/scratch, active bleeding lower right lip, reddened area under left eye. Hospital Admission: No

**Weapons Used/Recovered
(If known)**

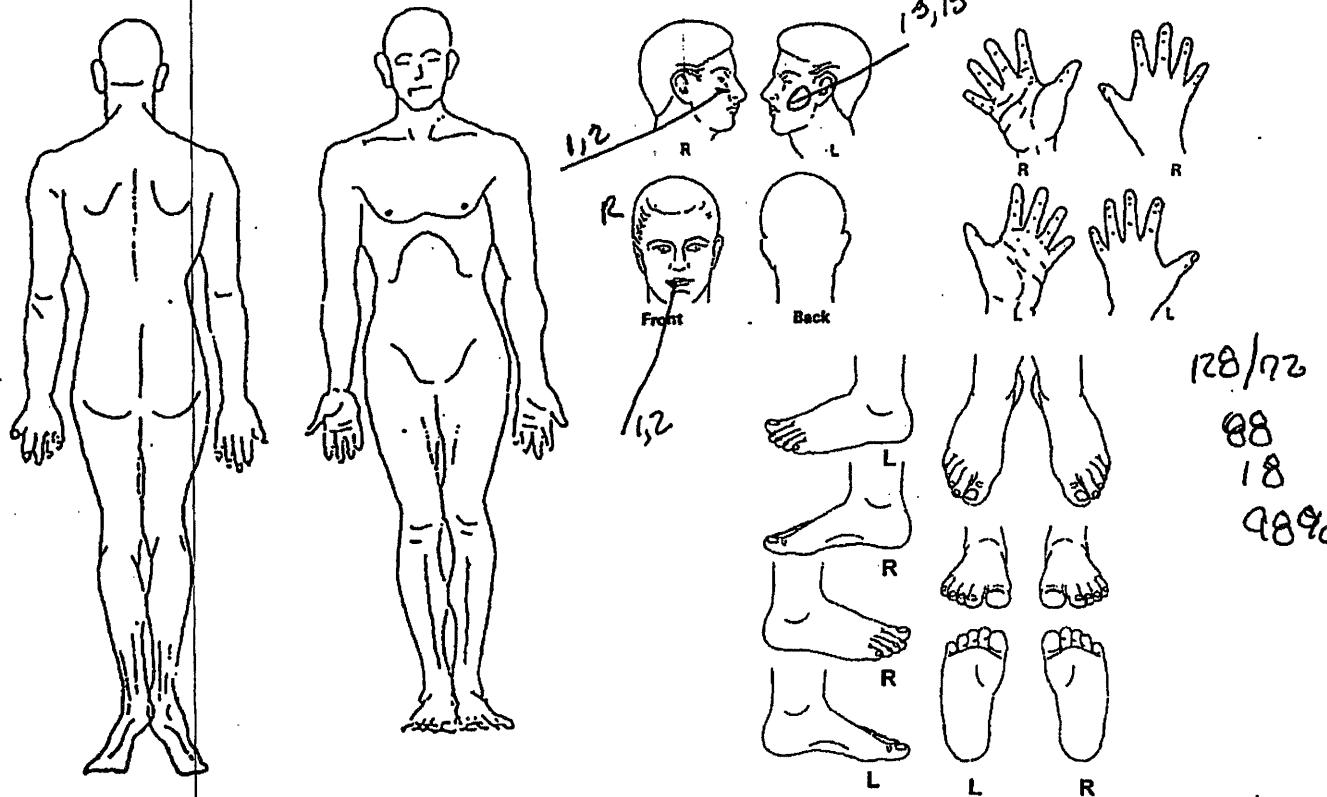
If applicable, was the inmate single celled?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, was cell partner involved?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name/DOC#
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Any other pertinent information specific to this incident	
Brown, Brandon #592090 (Date of Birth: [REDACTED] Race: Black, Affiliation: Gangster Disciples)	
Notification	
<p>Reported to Regional Director by:</p> <p>Name: <u>Levin Brown</u> Date: <u>2-14-20</u> Time: <u>0704</u></p> <p>OFFICE OF FUGITIVE APPREHENSION AND INVESTIGATIONS TO NOTIFY THE PUBLIC INFORMATION OFFICER</p> <p><u>Levin Brown for James Rudek</u> Date: <u>2/14/20</u> Time: <u>8:17 AM</u></p> <p>Signature of Regional Director</p> <p>Comprehensive Report Ordered: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The report will be as detailed as possible utilizing Attachment A "Comprehensive Report."</p>	

13-34A2

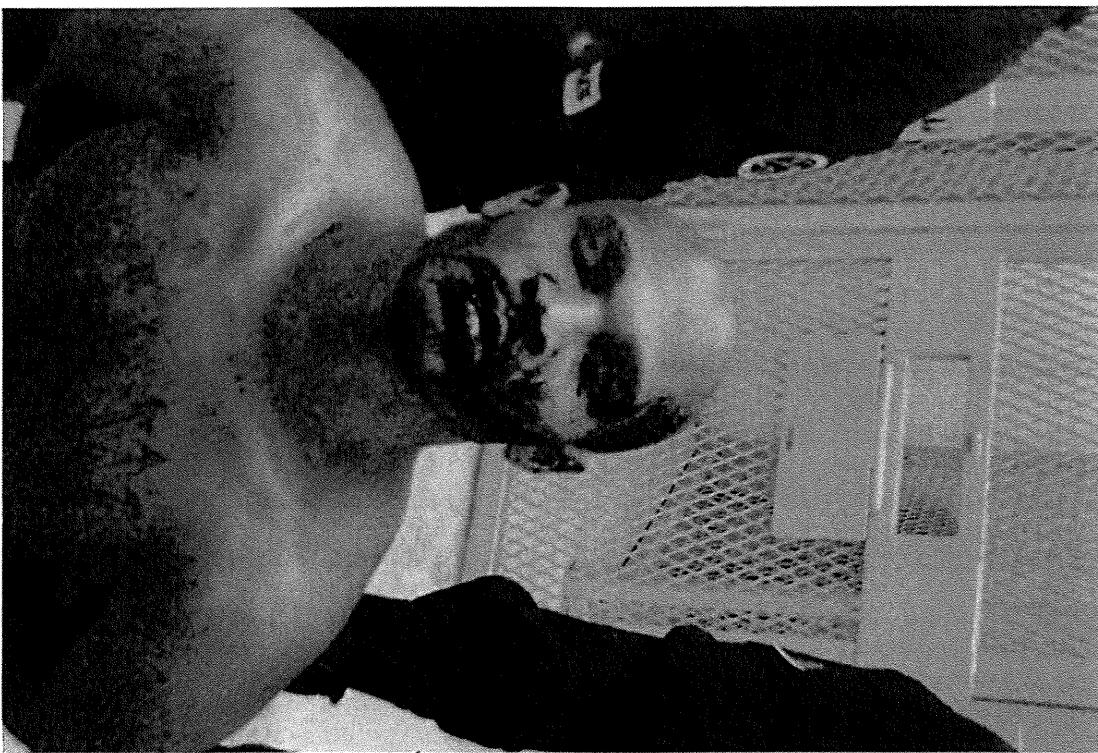
Facility Emergency Anatomical Form



<input checked="" type="checkbox"/> Inmate/Resident	<input type="checkbox"/> Employee	Date: 2/13/2020	Time: 0940
Facility Name: DCF		Agency # / Employee #: 592090	
Name: (Last, First) Brown, Brandon	Age: 34 Race: A/F Sex: <input checked="" type="checkbox"/> male <input type="checkbox"/> female Time Notified: 0935 Time Seen: 0935		
Place of Occurrence: FCIOP	Date/Time of Occurrence: 2/13/20 @ 3		
Reason for Report: <input type="checkbox"/> injury <input type="checkbox"/> on the job injury <input checked="" type="checkbox"/> use of force <input type="checkbox"/> pre-seg admission <input type="checkbox"/> other:			
Mode of Arrival? <input type="checkbox"/> wheelchair <input checked="" type="checkbox"/> ambulatory <input type="checkbox"/> on-site <input checked="" type="checkbox"/> escorted by Security			
Injuries Found? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No - If yes, use the appropriate code number on the figures above			
Abrasions/Scratch	1 Fresh Tattoo	7 Reddened Area	13 Other, list below
Active Bleeding	2 Cut/Laceration/Slash	8 Skin Flap	14
Bruise/Discoloration	3 Chemical Spray Area	9 Swollen Area	15
Burn	4 Pain	10 Open Fracture	16
Deformity	5 Protrusion	11	17
Dried Blood	6 Puncture	12	18
19			
RN Notified: <u>Prashiley, RN</u> Time: 0940			
LIP Notified: _____ Time: _____			
Form Completed By/Title: _____ Print/Sign <u>Prashiley, RN</u>			
Chemical Spray Exposure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Decontaminated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Self-decontamination instructions given? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Refused Decontamination? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Placed on every 15 minute respiratory checks? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Brief Statement in subject's words of the circumstances of the occurrence: _____			
Comments: BBS CTA, NAD.			
Disposition: Seg	Time: _____		

10/10/12

078



1/M Brown

